IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

Bail Appl..No. 3586 of 2007()

CRIME NO.79/06 OF VANDANMEDU POLICE STATION

: PETITIONER/IST ACCUSED

MANOJ, S/O.CHERIAN, KIZHAKUMPURAM
HOUSE, VALIYATHOVALKARAYIL DESOM,
PAMPADUMPARA VILLAGE.

BY ADV. SRI.RAJIT
SRI.RANJIT BABU

RESPONDENTS: STATE

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3586 OF 2007

Dated this the 14th day of June, 2007

O R D E R

In this Petition filed under Sec.438 Cr.P.C. the petitioner, who is the 1st accused in Crime No.79/2006 of Vandanmedu Police Station for an offence punishable under section 55(g) of the Abkari Act for allegedly having been found in possession of 400 litres of wash, seeks anticipatory Bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offence. It is too early to accept the petitioner's contention that the petitioner has been falsely implicated. There is no reason why the petitioner should not surrender before the magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of, preferably on the same day on which it is filed bearing in mind the decision in ***Sukumari Vs. State of Kerala*** [2001 (1) KLT 22].

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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